



CALIFORNIA High-Speed Rail Authority

Business Advisory Council (BAC) Summary Meeting Notes for February 27, 2018

Summary Notes

1515 Clay Street Oakland, CA 94612

Members Present:

Association	Primary	Alternate
ACEC	Arvin Chaudhary	
AICC	Adam Holt	
AAAE	Eddy Lau	Ming-Chen Yu
AAa/e	Linden Nishinaga	
AGC		
CBCC		
CMAA		
COMTO		Jesus Vargas
DVBA	Laura Uden	
GFACC		Lydia Zabrycki
KMCA		
LRRT	Paul Guerrero	
LBA	Leonard Ortiz	
NAACP	Betty Williams	
NAMC	Pete Varma	
NCA		
SFAACC	Fred Jordan	
SAME	Nathan Rockwood	
USPAACC	Prakash Daryani	
WCOE	Lee Cunningham	
WTS	Shari Tavafrashti	

Council Chair: Alice Rodriguez

Absent Seat(s): John Cooper (AGC), Aubry Stone (CBCC), Esther Shaw (CMAA), Marvin Dean (KMCA), Diana LaCome (NCA)

California High-Speed Rail Authority (Authority) Team Present: Dan Richard – Board of Directors Chair, Ben Tripousis – Northern Regional Director, Ivor Newman – SB Outreach Coordinator, Jose Camarena – Contract Compliance Administrator, Karen Massie – Information Officer, Thomas Post - Director of Engineering, Alex McCracken – SB and Title VI Programs Manager, Kasaundra Duncan – Title VI Technical Associate, Leah Robinson-Leach – NorCal External Affairs, Morgan Galli – NorCal External Affairs

Guests: Maurice Young (CP 1), Bjorn Nilsen (DFJV), Abigail Brown (CPM Logistics), Rachelle Brinkley (PCM CP 2-3), Amanda Craft (CRB), Danny Garza (MAPA), Brian O'Neill (Kleinfelder), Jeffrey Gutierrez (Dewalt Corp), Joe LaBonte (OPC)

I. Welcome and Introductions (Alice Rodriguez)

- Council Chair, Alice Rodriguez, called the meeting to order at 1:06 PM.
- Ms. Rodriguez welcomed and thanked everyone for attending the meeting and proceeded to provide a brief overview of the meeting agenda.
- Ms. Rodriguez concluded opening remarks with whole room introductions, including participating High-Speed Rail Staff:
 - Dan Richard – Board of Directors, Chair
 - Ben Tripousis – Northern Regional Director
 - Leah Robinson – NorCal External Affairs Branch
 - Morgan Galli – NorCal External Affairs Branch
- Mr. Tripousis mentioned that this will be his last BAC Meeting as he is leaving the project in pursuit of a position outside of the High-Speed Rail.

BAC Members Questions and Concerns:

- Member Cunningham requested to receive an electronic version of the 2018 BAC contact list, within 7-10 Business days of the Full Council.

II. Approval of November 2017 Business Advisory Council Meeting Minutes (Alice Rodriguez)

- Ms. Rodriguez asked if there were any questions or concerns regarding the November 2017 meeting minutes. There were no questions or concerns.
- Member Guerrero motioned that the meeting minutes be adopted.
- Member Ortiz seconded the motion.
- The November minutes were passed by all Members; none opposed.

III. Northern California Regional Update (Ben Tripousis)

- Mr. Tripousis covered the following topics during his presentation:
 - Opened with a Construction video, which can be found on YouTube at, <https://www.youtube.com/watch?v=XaSPNUXx478>
 - Program Update including the following:
 - 2018 Business plan
 - State Legislative Audit
 - NEPA Assignment
 - Overview on the San Francisco to San Jose Project Section
 - Project Management Funding Agreement with Caltrain
 - Overview of San Jose to Merced Project Section
 - Technical Work Update, including the following topics:
 - Romero Ranch
 - Environmental Technical Report
 - Wildlife Corridor and Floodplain Analysis
 - Stakeholder Outreach to Agencies
- Mr. Tripousis' presentation can be found on the Authority's BAC webpage at, http://hsr.ca.gov/Programs/Small_Business/business_advisory_council.html, under "Business Advisory Council Meeting Agendas & Minutes."

IV. Program Update (Dan Richard)

- The BAC Members held an open dialogue with Chairman Richard.
- Chairman Richard provided a brief description of the Board of Directors Structure and Board Appointees.
- He also provided an overview of the new staffing and recent decisions made at the Authority's headquarters:
 - New Chief Executive Officer, Brian Kelly
 - New Chief Operating Officer, Joe Hedges
 - New Chief Deputy Director, Pam Mizukami
 - Transitioning from a Planning Agency to a Construction Contract Entity with a focus on Program Delivery
- Chairman Richard also made mention how we will continue to provide program transparency with the public and that the 2018 Business Plan, reflected a 37 percent potential cost increase for the project.
- Chairman Richard stressed the importance of the connection from the Central Valley to the Silicon Valley for stakeholders and the public.
- Chairman Richard mentioned that the Federal government has provided 5 percent of the 50 percent match for funding.
- He commented on the Authority's policy and continued commitment to Environmental Justice by mitigating negative impacts to low-income communities when considering options on alignment locations. He gave a brief account on the consideration of a possible alignment in Atherton as an example.

BAC Members Questions and Concerns:

- BAC Members questioned the funding for the Early Train Operator (ETO). Chairman Richard stated that the Authority is considering auctioning the private sector in segments once the train is in operation, in addition to private funds.
- BAC Members asked if the ETO was permanent. Chairman Richard responded that the ETO will open the system and if successful, will have the opportunity to compete.
- Member Nishinaga inquired about the speed of the train vs. the overall safety of passengers. Chairman Richard said, the train will mirror the Japanese Bullet train in respect to their earthquake systems and other safety technology.
- Members Cunningham and Whitcomb questioned the Authority's public strategic communication and what BAC Members could do to promote the Authority's message to friends, family, and associates. Chairman Richard responded, that we have a great communication team, but additional resources may be necessary to assist the Authority in further sharing their message with shareholders and the public. Member Cunningham then questioned the objective of the Small Business Newsletter and the targeted audience. Chairman Richard later emphasized that the public's imagination to build the train plays a bigger role in the success of the project than funding concerns.
- Member Uden made a statement about Prompt Payment and how subs are not being paid in a timely manner. Additional BAC Members stated that response is lacking from the Authority regarding overdue payments to primes and resulting in slow payment(s) to small businesses. Chairman Richard understands the importance of the matter and requested BAC Members to contact him directly for Prompt Payment issues. He provided them with his contact information, boardmembers@hsr.ca.gov.
- BAC Members also inquired how the Authority tracks the success of the Project overall. For

instance, pay rate for Safe Harbor, prompt payment, funding, and overdue BAC requests. Chairman Richard mentioned he will keep in contact with Alice on these concerns as well as other open BAC Items.

- Member Tavafrasti requested making all reports reader-friendly. She mentioned when information is shared among members of their associations, their members cannot understand the metrics due to limited knowledge of the Project. Moving forward, the Authority will work with Member Tavafrasti to address these concerns and find a solution.

V. Project Updates

Construction Package 1 (Maurice Young)

- CP 1 is experiencing unbundling challenges.
- They've commenced construction for 1 of the 3 bridges due to their recent change order concerns with contract disbursement.
- Mr. Young expanded on Chairman Richard's play on "imagination," hinting that the public may not see the value of the project now, but everyone will be able to use the system and benefit from the project once completed.
- 80 percent of the construction for bridgework will be underway within the next 6 months.
- CP 1's SB/DBE/DVBE numbers are as follows:

Firm Type	Commitment	Attainment
SB	26.7%	12.39%
DBE	13.54%	6.4%
DVBE	6.08%	2.995%

- Mr. Young stressed to BAC Members that they can contact him directly if ever there are concerns with Prompt Payment concerning CP 1.

BAC Members Questions and Concerns:

- None

Construction Package 2-3 (Bjorn Nilsen)

- The demand to move dirt is being done by small businesses, about \$2.5 million worth in contracts.
- CP 2-3 anticipates 18 construction sites to be underway in their upcoming future forecast.
- Mr. Nilsen highly encouraged all BAC Members to contact him if they are interested in having him speak to their associations regarding procurement opportunities.

BAC Members Questions and Concerns:

- Member Cunningham question how CP 2-3 advertised their bids. Ms. Brown mentioned that the bids were marketed on CP 2-3's website, social media channels and distributed to registered participants on ConnectHSR. Mr. Newman expanded on the functionalities of ConnectHSR and reminded all BAC Members of the website, www.ConnectHSR.com.

Construction Package 4 (Amanda Craft)

- Ms. Craft stated there is a current commitment of \$20 million to small businesses, and \$5.7 million

in attainment.

- During the summer of 2018, California Rail Builders (CRB) will be commencing the start of their earthwork.
- In the upcoming months, CRB and the Associates General Contractors of California (AGC) will be partnering to conduct a Small Business Boot Camp in all regions of California. Additional details will follow as logistics become final.

BAC Members Questions and Concerns:

- None

VI. Committee Meeting Updates

Professional Services Committee (Committee Chair, Linden Nishinaga)

- The Professional Service Committee (PSC) conducted their annual Committee Elections, and announced the newly voted individuals:
 - Linden Nishinaga – Committee President
 - Laura Uden, Committee Vice-President
 - Prakash Daryani – Committee Secretary
- The PSC addressed the following topics during the Full Council:
 - Requested that the Authority develop a Dispute Resolution and Appeal process.
 - Requested the Authority provide additional supportive services to small businesses.
 - Requested the Authority implement the 30/10/3 split between professional services and construction.
 - Requested the Authority to adopt the FHWA Provisional Rates Program.
 - Requested that prompt payment notifications be posted to the Authority website.
 - Requested to implement the small business goals on third party agreements.
 - Requested that a member from the Authority's Engineering Department be present during all BAC Meetings, specifically during the committee meetings.

Construction Committee (Pete Varma):

- The Construction Committee did not hold Committee Elections due to lack of attendance.
- The Construction Committee addressed the following topics during the Full Council:
 - Requested that prompt payment notifications be posted to the Authority website.
 - Requested that future procurements get posted to the HSR website (look-ahead schedule).
 - Requested we implement a federal set-aside for contracts.
 - Requested that subs also purchase materials from suppliers.

VII. Member and Public Comment and Adjournment

- Member Uden motioned the meeting to end.
- Member Daryani seconded.
- The meeting was adjourned by Ms. Rodriguez at 4:20 PM.